

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Daniel A. Ferrie,

Plaintiff,

vs.

K Mart Corporation,

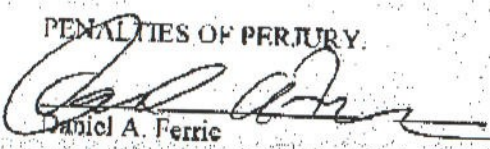
CIVIL ACTION NO.
04-12068 JLT

AFFIDAVIT OF DANIEL A. FERRIE

I, Daniel A. Ferrie, do upon my oath depose and state:

1. My name is Daniel A. Ferrie, and I am the Plaintiff in the within action.
2. Subsequent to my termination from K Mart, my position was replaced by Leslie Clark, who is approximately ten years younger than I.

SIGNED THIS 24TH DAY OF OCTOBER, 2005, UNDER THE PAINS AND
PENALTIES OF PERJURY.


Daniel A. Ferrie